

## **REMARKS**

### **I. Status of Claims**

Claims 1 and 25 have been amended.

Claims 1-32 are thus pending in the application.

In the Office Action, the Examiner rejected claims 1, 2, 3, 5, 6, 9, 11-16, 18, 19, 22 and 24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,003,040 to Yi in view of U.S. Publication No. 2004/0203608 to Osann, Jr. ("Osann").

Claims 7, 8, 10, 20, 21, 23 and 25-28 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Yi and Osann in view of U.S. Publication No. 2004/0036700 to Kashio.

### **II. Claim Rejections – 35 U.S.C. § 103(a)**

With respect to independent claim 1, the combination of Yi and Osann does not disclose or teach a control section for receiving, according to the signals generated by the input section, a command signal for capture and transmission of the moving image signal which is being reproduced, and controlling the moving image signal to be displayed while simultaneously controlling the displayed moving image signal to be capture and transmitted.

The Examiner acknowledges that Yi does not explicitly teach a command for capture and transmission of the moving image signal which is being reproduced, the control section controlling the moving image signal to be displayed and simultaneously the displayed image to be captured and transmitted. To cure the deficiencies of Yi, the Examiner relies on Osann by referencing paragraphs [0043] and [0044] and alleging that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Yi

with the system of Osann to allow the user at the transmitting terminal to better view the image being sent.

Osann discloses that where video clips or high-resolution still images are injected into the voice stream, the last image to be captured according to the action of shutter button 8 will be maintained on the display of the capturing phone for a predetermined time period after the shutter button 8 is released, or until terminated by a subsequent action of a sending party. Also, when the shutter button 8 is released, normal phone display information may optionally be superimposed on the displayed image if desired. Osann further discloses adding a polarizing filter over the LCD of the phone/camera to provide sun-shade in order to allow clear observation of the LCD view finder display on the phone/camera. Therefore, a party capturing and sending images can clearly and easily observe what images are being captured. *See* paragraphs [0043]-[0044].

Applicant respectfully submits that there is nothing in Osann that discloses or teaches that the displayed moving image signal is simultaneously controlled to be captured and transmitted while the moving image signal is displayed. Osann discloses that the **last image** to be captured (i.e., the last frame of a video clip) is maintained on the display for a predetermined time after the shutter button is released. There is nothing in Osann that discloses that the video clip is **displayed while simultaneously capturing the video clip**. The **last frame** of the video clip of Osann is maintained on the display for a **predetermined time period** while the video clip is captured after the shutter button is released. Moreover, there is nothing in Osann that discloses displaying the video clip while simultaneously controlling the video clip to be **transmitted**. The Examiner has not established any motivation for combining Yi and Osann because the adding of a polarizing filter over the LCD of the phone/camera to clearly and easily observe images capture of Osann does not result in simultaneously controlling the displayed moving image signal to be capture and

transmitted. The polarizing filter over the LCD of Osann merely provides the ability to view the LCD clearly and easily.

Kashio, whose U.S. filing date is August 18, 2003, does not qualify as prior art because the present application has a foreign priority date of April 22, 2003. Accordingly, the Examiner's rejection to claims 7, 8, 10, 20, 21, 23 and 25-28 under 35 U.S.C. § 103(a) should be withdrawn.

In view of the above arguments, claim 1 would not have been obvious from any reasonable combination of Yi and Osann at least for the reasons noted above. Claim 25, which recites a control section for receiving, according to the signals generated by the input section, a command signal for capture and transmission of the received television signal, and controlling the received television signal to be displayed while simultaneously controlling the displayed television signal image to be captured and transmitted, would not have been obvious from any reasonable combination of Yi and Osann for at least the same reasons given for claim 1. Therefore, the rejections of claims 1 and 25, as well as dependent claims 2-11, 29 and 30, which incorporates all of the limitations of its respective base claim 1, should be withdrawn based on the above arguments.

With respect to independent claims 12, the combination of Yi and Osann does not disclose or teach transmitting the captured image.

The Examiner acknowledges that Yi does not explicitly teach **capturing an image** which is being reproduced. The Examiner then alleges that Yi discloses transmitting the **captured image** by referencing col. 4, lines 45-50 of Yi. The Examiner further relies on Osann to cure the deficiencies of Yi, by referencing paragraph [0043] and alleging that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Yi with the system of Osann to allow the user at the transmitting

terminal to better view the image being sent. Applicant respectfully disagrees with the Examiner. If Yi does not explicitly teach **capturing an image** (as acknowledged by the Examiner), it is impossible for Yi to transmit a **captured image**.

Applicant respectfully submits that Osann does not cure the deficiencies of Yi. Osann discloses capturing a last image of video clips or high-resolution still images that are injected into a voice stream. The last image captured is captured according to the action of a shutter button 8 and is maintained on the display of the capturing phone for a predetermined time period after the shutter button 8 is released, or until otherwise terminated by a subsequent action of a sending party. The party capturing and sending images of Osann can clearly and easily observe what image are being captured by adding some form of sun-shade. There is nothing in Osann that discloses sending or transmitting a **captured image**. Moreover, there is nothing in Osann that discloses sending or transmitting a **captured image** that has been **reproduced**. Osann merely discloses **sending images** but does not teach sending the **captured images**. Since Kashio does not qualify as prior art, Kashio does not supply the at least above-noted deficiencies of Yi and Osann.

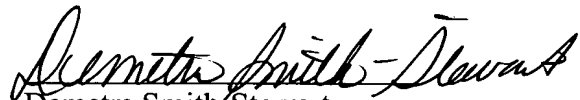
In view of the above arguments, claim 12 would not have been obvious from any reasonable combination of Yi and Osann at least for reasons noted above. Therefore, the rejections of claims 12, as well as dependent claims 13-24, 31 and 32, which incorporates all of the limitations of its respective base claim 12, should be withdrawn based on the above arguments.

**CONCLUSION**

Applicant submits that the above amendments and arguments are fully responsive to the Office Action dated January 28, 2007 and respectfully requests the asserted grounds of rejections be withdrawn based on such arguments.

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

  
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